

ORIGINAL

AO 93 (Rev. 5/85) Search Warrant

United States District Court

NORTHERN

DISTRICT OF

NEW YORK

In the Matter of the Search of

(Name, address or brief description of property or premises to be searched)

premises located at

197 Utica Road, Apt. A, Kirkland, NY, more particularly described as a two story wood frame structure with gray vinyl siding, blue shutters and white trim. The number "197" is clearly affixed to the mailbox and the number "197 A" is clearly affixed to the front left door, both are visible from the road. Entry to apartment 197 A is made by entering the front left door

SEARCH WARRANT

Criminal No. 08-MJ-468 (DEP)TO: ANY FBI AGENT and any Authorized Officer of the United StatesAffidavit(s) having been made before me by Anthony R. Fitzgerald who has reason to

Affiant

believe that ☐ on the person of or ☒ on the premises known as (name, description and/or location)

197 Utica Road, Apt. A, Kirkland, NY, more particularly described as a two story wood frame structure with gray vinyl siding, blue shutters and white trim. The number "197" is clearly affixed to the mailbox, and the number "197 A" is clearly affixed to the front left door, both are visible from the road. Entry to apartment 197 A is made by entering the front left door.

in the NORTHERN District of NEW YORK there is now concealed a certain person or property, namely (describe the person or property)

See Attached Schedule

I am satisfied that the affidavit(s) and any recorded testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before Nov. 7, 2008

(not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant and making the search (in the daytime - 6:00 A.M. to 10:00 P.M.) ~~(at any time in the day or night as I find reasonable cause has been established)~~ and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to any authorized judge as required by law. No knock entry authorized DEP

United States Judge or Magistrate Judge

October 28, 2008 @ 3:53 p.m. at
Date and Time Issued

Syracuse, New York
City and State

Hon. David E. Peebles
United States Magistrate Judge
Name and Title of Judicial Officer

[Signature]
Signature of Judicial Officer

AO93 (Rev. 5/85) SEARCH WARRANT

RETURN		
DATE WARRANT RECEIVED <i>10/25/08</i>	DATE AND TIME WARRANT EXECUTED <i>10/29/2008, 6:20am</i>	COPY OF WARRANT AND RECEIPT FOR ITEMS LEFT WITH <i>Anita Brodt</i>
INVENTORY MADE IN THE PRESENCE OF <i>Anita Brodt</i>		
INVENTORY OF PERSONS OR PROPERTY TAKEN PURSUANT TO THE WARRANT <i>See attached FBI "Evidence Recovery Log"</i>		
CERTIFICATION <i>Anthony R. Forster</i>		

Sworn to Before me on 11/6/08

[Signature]

SEARCH WARRANT ATTACHMENT

This search warrant authorizes searches for the following items, which would be evidence of narcotics distribution and related conduct, in the above described residence, to include, any other structures, outbuildings and vehicles located thereon:

- a. Cocaine (in any form) and any other controlled substances;
- b. Paraphernalia used and commonly associated with the possession and distribution of controlled substances such as cocaine; including, but not limited to: scales, packaging materials including plastic baggies, plastic or glass vials, heat sealing machines, pipes, coffee grinders, cocaine presses, sifting screens and/or strainers; any materials used for "cutting" or diluting controlled substances like cocaine, such as baking soda, inositol and mannitol;
- c. Any books, records, receipts, notes, ledgers, journals, and other papers relating to the purchase and distribution of controlled substances, including cocaine;
- d. Addresses and/or telephone books, PDA's (i.e. Palm Pilots), caller ID boxes attached to telephones and papers reflecting names, addresses, and/or telephone numbers; and telephone records reflecting local and long distance calls;
- e. Bank statements and records, safe deposit keys, receipts, and other books and records, including any related to the purchase of real property and personal property (including automobiles), safes, lock boxes, safe deposit boxes and, in general, any records or documents evidencing the obtaining, transfer, concealment, or expenditure of money or other assets, and/or demonstrating the laundering or use of monies generated by the sale of narcotics;
- f. Any significant sums of United States currency, stocks, bonds, certificates of deposit, any other financial instruments, and safes, or other security type boxes or containers;
- g. Photographs of people, assets, or controlled substances;
- h. Personal effects tending to establish proprietary interest, including but not limited to, personal identification, driver's licenses, vehicle registration certificates, passports, birth certificates and deeds;
- i. Records of interstate travel in furtherance of the unlawful distribution of drugs and the use of the facilities of interstate commerce in furtherance of the unlawful distribution of drugs;
- j. Communication devices to include digital pagers, cellular telephones (including any stored electronic contents such as voice mail messages, addresses and telephone numbers and alpha/numeric messages), telephones, scanners and the like; and,
- k. Computers, laptops, hard drives, computer disks, compact

disks or other medium utilized to store data or information.

1. Other property constituting evidence of the possession, distribution, or use of controlled substances, or any property, records, or documents constituting evidence of the association and relationship of individuals in connection with drug-related activities.

EVIDENCE RECOVERY LOG

PERSONNEL

[illegible]